



Economic Impact Analysis Virginia Department of Planning and Budget

12 VAC 35-190 – Regulations Establishing Procedures for the Voluntary Admission of Persons Who Are Mentally Retarded to State Mental Retardation Facilities Department of Mental Health, Mental Retardation, and Substance Abuse Services

January 22, 2002

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 9-6.14:7.1.G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) proposes to update its *Regulations Establishing Procedures for the Voluntary Admission of Persons Who Are Mentally Retarded to State Mental Retardation Facilities*, which has not been revised since its promulgation in 1976. In addition to editorial changes, the updated regulation will include the following:

- Revised definitions of certain terms and the elimination of definitions for terms that are not used in the text of the regulation;
- Removal of the sections describing the criteria for judicial certification as the criteria is already specified in the *Code of Virginia*;
- A new definition for “case management community service board (CSB)” that indicates the case management CSB is responsible for arranging admissions and discharges from state training centers as required by § 37.1-98 and § 37.1-197.1 of the *Code of Virginia*, which were implemented in the early 1980s; and

- A provision formalizing the process for an applicant to seek reconsideration from the Commissioner of any decision to deny admission to a training center.

Estimated Economic Impact

The proposed changes to this regulation do not represent any changes in the current policies regarding voluntary admissions to state training centers. Aside from making the regulation more consistent with current practice and terminology and existing statutory requirements, there are not likely to be any significant economic effects as a result of the proposed changes.

Businesses and Entities Affected

The proposed changes are not expected to impact the number of admissions or discharges to state training centers and therefore should not impact facility expenditures. There are five state training facilities in Virginia. In CY 2001, there were 21 voluntary admissions to these state training centers.

Localities Particularly Affected

The proposed changes will not uniquely affect any particular localities.

Projected Impact on Employment

Since the proposed changes do not represent any change in current practice, they will not have any impact on employment in Virginia.

Effects on the Use and Value of Private Property

Since the proposed changes do not represent any change in current practice, they will not have any effects on the use and value of private property in Virginia.